

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: _____ DATE FILED: <u>3/22/2023</u>

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UNITED STATES OF AMERICA

- v. -

AMIT BHARDWAJ,

Defendant.
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:
: CONSENT PRELIMINARY ORDER
OF FORFEITURE/
: MONEY JUDGMENT
:
: 22 Cr. 398 (GHW)

WHEREAS, on or about July 21, 2022, AMIT BHARDWAJ (the “Defendant”), among others, was charged in a fourteen-count indictment, 22 Cr. 398 (GHW) (the “Indictment”), with conspiracy to commit securities fraud and wire fraud, in violation of Title 18, United States Code, Section 371 (Counts One, and Seven through Nine); securities fraud, in violation of Title 15, United States Code, Section 78j(b) and 78ff, 17 C.F.R. 240.10b-5, and Title 18, United States Code, Section 2 (Counts Two through Five, and Ten through Twelve); wire fraud, in violation of Title 18, United States Code, Sections 1343 and 2 (Counts Six and Thirteen); and conspiracy to obstruct justice, in violation of Title 18, United States Code, Section 371 (Count Fourteen);

WHEREAS, the Indictment included a forfeiture allegation as to Counts One through Fourteen of the Indictment, seeking forfeiture to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461, of all property, real and personal, that constitutes or is derived from proceeds traceable to the commission of the offenses charged in Counts One through Fourteen, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of the offenses charged in Counts One through Fourteen;

WHEREAS, on or about March 22, 2023, the Defendant pled guilty to Counts One through Thirteen of the Indictment, pursuant to a plea agreement with the Government, wherein

the Defendant admitted the forfeiture allegation with respect to Counts One through Thirteen of the Indictment and agreed to forfeit to the United States, pursuant to Title 18, United States Code, Section 981, and Title 28, United States Code, Section 2461, a sum of money equal to \$547,286 in United States currency, representing proceeds traceable to the commission of the offenses charged in Counts One through Thirteen of the Indictment;

WHEREAS, the Defendant consents to the entry of a money judgment in the amount of \$547,286 in United States currency, representing the amount of proceeds traceable to the offenses charged in Count One through Thirteen of the Indictment that the Defendant personally obtained; and

WHEREAS, the Defendant admits that, as a result of acts and/or omissions of the Defendant, the proceeds traceable to the offenses charged in Counts One through Thirteen of the Indictment that the Defendant personally obtained cannot be located upon the exercise of due diligence.

IT IS HEREBY STIPULATED AND AGREED, by and between the United States of America, by its attorney Damian Williams, United States Attorney, Assistant United States Attorneys Noah Solowiejczyk and Adam Hobson, of counsel, and the Defendant and his counsel, Max Nicholas, Esq., that:

1. As a result of the offenses charged in Counts One through Thirteen of the Indictment, to which the Defendant pled guilty, a money judgment in the amount of \$547,286 in United States currency (the "Money Judgment"), representing the amount of proceeds traceable to the offenses charged in Counts One through Thirteen of the Indictment that the Defendant personally obtained, shall be entered against the Defendant.

2. Pursuant to Rule 32.2(b)(4) of the Federal Rules of Criminal Procedure, this Consent Preliminary Order of Forfeiture/Money Judgment is final as to the Defendant AMIT BHARDWAJ, and shall be deemed part of the sentence of the Defendant, and shall be included in the judgment of conviction therewith.

3. All payments on the outstanding money judgment shall be made by postal money order, bank or certified check, made payable, in this instance, to the United States Marshals Service, and delivered by mail to the United States Attorney's Office, Southern District of New York, Attn: Money Laundering and Transnational Criminal Enterprises Unit, One St. Andrew's Plaza, New York, New York 10007 and shall indicate the Defendant's name and case number.

4. The United States Marshals Service is authorized to deposit the payments on the Money Judgment into the Assets Forfeiture Fund, and the United States shall have clear title to such forfeited property.

5. Pursuant to Title 21, United States Code, Section 853(p), the United States is authorized to seek forfeiture of substitute assets of the Defendant up to the uncollected amount of the Money Judgment.


6. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, the United States Attorney's Office is authorized to conduct any discovery needed to identify, locate or dispose of forfeitable property, including depositions, interrogatories, requests for production of documents and the issuance of subpoenas.

7. The Court shall retain jurisdiction to enforce this Consent Preliminary Order of Forfeiture/Money Judgment, and to amend it as necessary, pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure.

8. The signature page of this Consent Preliminary Order of Forfeiture/Money Judgment may be executed in one or more counterparts, each of which will be deemed an original but all of which together will constitute one and the same instrument.

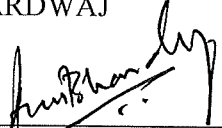
AGREED AND CONSENTED TO:

DAMIAN WILLIAMS
United States Attorney for the
Southern District of New York

By: 


NOAH SOLOWIEJCZYK
ADAM HOBSON
Assistant United States Attorneys
One St. Andrew's Plaza
New York, NY 10007
(212) 637-2473/1063

03/22/23
DATE

AMIT BHARDWAJ
By: 

AMIT BHARDWAJ


3/22/23
DATE

By: 

MAX NICHOLAS, ESQ.
Attorney for Defendant
767 Third Avenue
New York, NY 10017

3/22/23
DATE

SO ORDERED:



HONORABLE GREGORY H. WOODS
UNITED STATES DISTRICT JUDGE

March 27, 2023
DATE